
	LOS LUNAS POLICE DEPARTMENT	
	OPERATIONS	NUMBER: OPR.12.01
	EFFECTIVE DATE: August 13, 2010	
	SUBJECT: Legal Process Subpoenas & Orders of Protection	
AMENDS/ SUPERSEDES:		REVIEW DATE: March 7, 2017
NMSA:		
NMMLEPSC STANDARDS: OPR.12.01-OPR.12.03		APPROVED BY CHIEF OF POLICE NAITHAN G. GURULE  Signature

I. STATEMENT OF PURPOSE

This policy is to establish a procedure for serving, receiving, filing, and handling of subpoenas, Orders of Protection, and Warrants.

II. SUBPOENA SERVICE

A. Criminal Subpoena

Upon delivery of criminal subpoenas from the issuing agency with a lawful subpoena, the records clerk will maintain and distribute the subpoena accordingly:

1. The subpoena will be scanned and emailed to the recipient(s) (officer, etc.).
2. The issued subpoena will be maintained and filed in records.

B. Civil Subpoena

1. Upon receipt of a civil subpoena, the recipient (officer) will contact the issuing representative for payment of appropriate witness fees.
2. Fees are paid at a minimum of \$95 to off-duty officers or the Village of Los Lunas for on-duty officers.

C. It is the responsibility of the officer to abide by the scheduled court date, or required to abide by authorized procedures if a conflict exists.

III. ORDER OF PROTECTION

A.——Upon receipt of an Order of Protection:

1. The records clerk will generate a Case Folder in RMS and will scan the Order of Protection into the case folder.
2. The on-duty sergeant will be notified and given the Order of Protection to be served.
3. Status of service and/or attempted service will be documented in the case folder.
4. Upon serving the order, the Return of Service will be given to the records clerk who will scan the Return of Service in the case folder.
5. The original Return of Service will be forwarded to the issuing agency.

B. Expired orders of protection' shall be handled in the following manner:

1. A couple of weeks after the expiration date, the Order of Protection will be sent back to District Court advising service was attempted.

C. Incomplete Orders of Protection will be sent back to the issuing agency for correction.

IV. MAINTAINING A WARRANT AND WANTED PERSONS FILE

- A. Warrants and Wanted Persons File are maintained in accordance with the guidelines of the National Communication Information Center (NCIC) and the requirements of Valencia Regional Emergency Communications Center (VRECC).
- B. When the Communications Operations receives information from a law enforcement officer, they will verify all identifiers available before an arrest is made.
- C. Information received from other jurisdictions on warrants will be verified by teletype. Upon service of a warrant, a faxed copy will be received from the originating jurisdiction.

- D. Upon arrest, the notification/cancellation form will be signed by the arresting officer or communications operator. The communications operator will remove the warrant from NCIC.
- K. Officers have 24 hours' access to the warrant list and NCIC information.
- V. Information to be recorded and maintained in regards to each item of legal process is as follows:
 - a. Date and time received
 - b. Type of legal process (civil or criminal)
 - c. Nature of the document
 - d. Source of document
 - e. Name of plaintiff/complainant or defendant/respondent
 - f. Officer assigned for service/name of server
 - g. Date of assignment
 - h. Method of service/reason for non-service
 - i. Date service due
 - j. Name of person from whom service was attempted
 - k. Name of person to whom process was served
 - l. Location/address of service or attempted service
 - m. Date and time of service/attempted service and return
 - n. Court docket number.